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8 **UNITED STATES DISTRICT COURT**
9 EASTERN DISTRICT OF CALIFORNIA

10 ALEATRICE THOMAS,

11 Plaintiff,

12 v.

13 COMMISSIONER OF SOCIAL SECURITY,

14 Defendant.

15 Case No. 1:20-cv-01723-AWI-SAB

16 ORDER ADOPTING FINDINGS AND
17 RECOMMENDATIONS AND DISMISSING
18 PLAINTIFF'S SOCIAL SECURITY
19 APPEAL AS UNTIMELY

20 (ECF Nos. 1, 8)

21 Aleatrice Thomas (“Plaintiff”), proceeding pro se and *in forma pauperis*, filed this action
22 seeking judicial review of the denial of disability benefits pursuant to the Social Security Act.
23 The matter was referred to a magistrate judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local
24 Rule 302.

25 On January 13, 2021, an order issued requiring Plaintiff to show cause within fourteen
26 days why this action should not be dismissed as untimely filed. (ECF No. 6.) Plaintiff did not
27 file a response to the January 13, 2021 order. On February 4, 2021, findings and
28 recommendations were filed recommending dismissing Plaintiff’s Social Security appeal as
untimely. (ECF No. 8.) The findings and recommendations provided that any objection to the
findings and recommendations was to be filed within thirty days. (*Id.*) More than thirty days
have passed and Plaintiff has not filed objections or otherwise responded to the findings and
recommendations.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this court has conducted a *de novo* review of this case. Having carefully reviewed the entire file, the court finds the findings and recommendations to be supported by the record and by proper analysis.

4 Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations, filed February 4, 2021, is ADOPTED IN FULL;
 2. Plaintiff's Social Security appeal is DISMISSED as untimely filed; and
 3. The Clerk of the Court is DIRECTED to CLOSE this action.

IT IS SO ORDERED.

Dated: May 18, 2021

Ashbliss
SENIOR DISTRICT JUDGE